

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT (PCT Article 36 and Rule 70)

REC'D 28 MAY 2004

Applicant's or agent's file reference Kaar 2 11 5035 tv	FOR FURTHER ACTION		See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)
International application No. PCT/NO 03/00085	International filing date (day/month/year) 11.03.2003	Priority date (day/month/year) 14.03.2002	
International Patent Classification (IPC) or both national classification and IPC F16F3/00, F16F3/00			
Applicant KAARSTEIN, Olav			


- This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 5 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

 These annexes consist of a total of 2 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the opinion
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 14.10.2003	Date of completion of this report 27.05.2004
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer Hytrowski, P Telephone No. +49 89 2399-2858



**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/NO 03/00085**

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-4 as originally filed

Claims, Numbers

1-10 received on 26.04.2004 with letter of 16.04.2004

Drawings, Sheets

1/1 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/NO 03/00085**

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-10
	No: Claims	
Inventive step (IS)	Yes: Claims	1-10
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-10
	No: Claims	

2. Citations and explanations

see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/NO 03/00085

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Reference is made to the following document:
D1:US-A-3 588 008

No document of the prior art discloses all the features claims 1 to 10.
The subject-matter of claims 1 to 10 is therefore new (Article 33(2) PCT).

The document **D1** is regarded as being the closest prior art to the subject-matter of claims 1 and 6, and shows (the references in parentheses applying to this document):

A device for damping vibrations, impact and shock, which device is mounted between a reference object, which is exposed to vibrations, impact and shock, and a device, which will only be exposed to dampened vibrations, impact and shock, whereby the device comprises an oblong plate 10, which is designed at its opposite upper and lower ends in the longitudinal direction to be attached to the reference object, where an upper and lower attachment 17,18 are fixed to the plate for an upper and lower damping element 20 respectively, which damping elements 20 are connected via a joining element 22 between the upper and lower attachment 17,18 for the damping elements, and which joining element 22 in turn is fixed to a holder for the device that will only be exposed to dampened vibrations, impact and shock;

according to some features of claim 1 and:

A system for damping vibrations, impact and shock, between a reference object, which is exposed to vibrations, impact and shock, and a device, which will only be exposed to dampened vibrations, impact and shock, whereby the device is supported by one or more devices for damping vibrations, impact and shock, which device consist substantially of an oblong plate 10, which is attached at its opposite upper and lower ends in the longitudinal direction to the reference object, where an upper and lower attachment 17,19 are fixed to the plate 10 for an upper and lower damping element 20 respectively, which damping elements 20 are connected via a joining element 22 between the upper and lower attachment 17,18 for damping elements, and which joining element 22 in turn is fixed to a holder for the device that will only be exposed to dampened vibrations, impact and shock;

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/NO 03/00085

according to some features of claim 6.

The subject-matter of claims 1 and 6 differs therefrom in that the damping elements are wire wings.

The problem to be solved by the present invention may be regarded as avoiding resonance and uneven damping motion of the damping elements in particular in the case of high impact forces and vibrations.

The solution to this problem proposed in claims 1 and 6 of the present application is considered as involving an inventive step (Article 33(3) PCT) because there is not hint in the document D1 to replace the rubber damping elements with wire rings and because no wire rings used as damping elements in a longitudinal direction are shown in the documents of the prior art.

Claims 2 to 5 and 7 to 10 are dependent on claims 1 and 6 respectively and as such also meet the requirements of the PCT with respect to novelty and inventive step.

Remarks:

Although claims 1 and 6 are drafted in the two-part form, only the feature that the damping elements are wire rings should have been placed in the characterising portion (Rule 6.3 PCT).

Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the document D1 is not mentioned in the description, nor is this document identified therein.

The description is not in conformity with the claims as required by Rule 5.1(a)(iii) PCT.